

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.382 of 2020

ORDER:

The present writ petition is filed questioning the action of the 2nd respondent in not considering and disposing of, either the appeal, or the interlocutory application filed along with the appeal, by the petitioner, on 30.12.2019, against the order, dated 25.11.2019, passed by the 3rd respondent in Cr.No.A1/381/2019.

2. Heard learned counsel for the petitioner and learned Government Pleader for Excise and Prohibition.

3. Learned counsel for the petitioner submits that the petitioner, being aggrieved by the order of the 3rd respondent in suspending the excise licence bearing No.01/2019-20, dated 01.07.2019, has preferred an appeal under Section 63 of the Telangana State Excise Act, before the 2nd respondent, on 30.12.2019. It is further submitted that along with the appeal, the petitioner has also filed an application seeking stay of the impugned order, dated 25.11.2019. Learned counsel therefore complains that though the stay application is filed along with the appeal, the 2nd respondent has not taken up even the stay application, which needs to be decided expeditiously.

4. Learned Government Pleader submits that he has no objection if this Court directs the 2nd respondent to consider and dispose of either the appeal or the stay application within a time frame.

5. Having regard to the submissions made by both the parties, and since the appeal filed by the petitioner against the order of the 3rd respondent, dated 25.11.2019, is pending consideration by the

2nd respondent, this Court is refraining from expressing any view on the merits of the matter, as the same may have impact on the adjudication of the appeal by the 2nd respondent.

6. Thus, without expressing any opinion on the merits of the matter, the 2nd respondent is hereby directed to dispose of either the appeal or the interlocutory application filed along with the appeal, on 30.12.2019, by the petitioner, against the order, dated 25.11.2019, of the 3rd respondent, within a period of two weeks from the date of receipt of a copy of this order.

7. Subject to the above observation, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:07.01.2020

Note:

Furnish C.C. by 08.01.2020.
(B/o) GJ